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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,461	12/20/2005	Jan Vink	NL 030719	8224
65913	7590	10/23/2007		
NXP, B.V. NXP INTELLECTUAL PROPERTY DEPARTMENT M/S41-SJ 1109 MCKAY DRIVE SAN JOSE, CA 95131			EXAMINER CARDWELL, ERIC	
			ART UNIT 2189	PAPER NUMBER
			NOTIFICATION DATE 10/23/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

Office Action Summary	Application No. 10/561,461	Applicant(s) VINK, JAN	
	Examiner Eric S. Cardwell	Art Unit 2189	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20th December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20th December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/20/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

As required by M.P.E.P. ' 609 (C), the applicant's submission of the Information Disclosure Statement dated December 20th, 2005, is acknowledged by the examiner and the cited references have been considered in the examination of the claims now pending. As required by M.P.E.P. ' 609 C(2), a copy of the PTOL-1449 initialed and dated by the examiner is attached to the instant office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9 rejected under 35 U.S.C. 102(e) as being anticipated by Widergren [US2004/0228169]. Widergren teaches a system and method of storing digital media in one format that can be converted to another format.

Regarding claims 1 and 6-9, Widergren teaches a storage device [paragraph 0010 and 0043] with an input for receiving a first data [paragraph 0013] set having a first format [paragraph 0013]. The device contains various decoders [paragraph 0014-0015 and 0024] that are used to transform the first data into a second data with a different format than the first data [claim 1]. The device contains a storage medium for storing a

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set of first data pieces and a subset of second data pieces [paragraph 0010 and 0043]. Widergren teaches that the data set is never fully decoded into memory, only a subset of the file. The first half is deleted from memory when the second half is being decoded [paragraph 0032]. Widergren teaches the use of a controller [paragraphs 0009 – 0011] that the Examiner has determined has the same functionality as the applicant's processor [paragraph 0037]. In response to an access request the controller [paragraph 0017] will search for the requested data sets stored on the storage medium. If the request is found the second data set will be sent to the reproduction device or as the Examiner determines this request could be a second access request and the second data has already been produced and is then sent to the display system [paragraph 0019] as the reproduction device. If the second data is not found then the decoder decodes [paragraph 0024] the first data into the predefined second data [claim 1] and sent to the display system [paragraph 0019].

Regarding claim 2, Widergren teaches a priority that a data set is never fully decoded into memory, only a subset of the file. The first half is deleted from memory when the second half is being decoded [paragraph 0032].

Regarding claim 3, Widergren teaches a device that can be used for video or audio [paragraph 0013]. The device can be loaded with multiple decoders [0014], these decoders can be used as decompressors, because the first set of data is compressed [paragraph 0027]. Thus the second set of data will be uncompressed and therefore larger in size than the first set.

Regarding claim 4, Widergren teaches coupling the storage device to the reproduction device via a wireless channel [paragraph 0019].

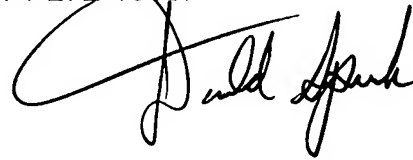
Regarding claim 5, Widergren teaches that the device can be used in cell phones, personal digital assistants, and digital cameras [paragraph 0012] to contain audio clips [paragraph 0013]. The Examiner determines these devices to have the ability to record audio at the time the invention was made, and as an inherent function of these devices, they all have build in speakers for audio reproduction.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric S. Cardwell whose telephone number is 571-270-1379. The examiner can normally be reached on Mon-Fri 8am-5pm Eastern Alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Reginald Bragdon can be reached on 571-272-4204. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



ESC

SUPPLEMENT

EXAMINER